

MINUTES OF MEETING OF BOARD OF PUBLIC WORKS, OCTOBER 2, 1940

The Board of Public Works met in the office of the Governor, State House, Annapolis, Maryland, on Wednesday, October 2, 1940.

There were present:

Herbert R. O'Connor, Governor  
J. Millard Tawes, Comptroller  
Hooper S. Miles, Treasurer  
Walter N. Kirkman, Director  
Dept. Budget & Procurement

ANNE ARUNDEL COUNTY:

The Secretary brought to the attention of the Board a communication from the Board of County Commissioners of Anne Arundel County, signed by Mr. Benjamin Michaelson, Counsel to the Board, inquiring if there is any space available in the State Office Building for the use of the County Farm Agent for his office purposes.

Upon ascertaining that all space in the Building is occupied, the Board of Public Works instructed the Secretary to communicate this information to the County Commissioners of Anne Arundel County: That there is no space available in the State Office Building.

ARCHITECTS:

The Secretary brought to the attention of the Board a communication from Malone & Williams, architects, Salisbury, Maryland, requesting consideration in connection with designing buildings for the State. It was stated that all the construction provided for by the General Assembly was under way, at the present time, and that all architectural services necessary had been engaged. It was stated that this firm could be borne in mind in the future in case any further construction work was authorized.

COMPTROLLER - Refunds:

The Secretary brought to the attention of the Board a claim submitted by The Baltimore Storage Company, Inc. for refund of franchise tax of \$100. paid in error to the State. The error was brought about by the fact that the corporation paid a bill mailed to Baltimore Storage Co., Inc. which inadvertently came into the hands of The Baltimore Storage, the latter company being the successor of the former corporation. In view of the fact that the successor corporation paid the franchise tax due by it for the succeeding year and there was no lapse of time between going out of business by the first concern and the starting of operations by the successor company, the Board felt it was in order to refund the tax paid in error by The Baltimore Storage Company.

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The Board approved payment of claim to Stanley Maynard for refund of \$30. covering the amount paid the Clerk of the Court of Common Pleas of Baltimore City, for licenses secured in error.

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The Board of Public Works approved claim of Taggart Corp. for refund of franchise taxes for the years 1938 and 1939 in the amount of \$1,950.00 for each year, the company having paid taxes in the amount of \$2,200.00 for each year before the State Tax Commission corrected the assessment covering the tax of \$2,200.00 for each year.

The Board approved refund of taxes to The Anne Arundel County Farmers Association, Inc. for the year 1940 in the amount of \$10.74;

And, to the Salisbury Corporation, \$10.51,

To cover excess payments made by those corporations, based on taxes having been paid on original assessments, with corrected assessments showing lower amounts to be due from the corporations.

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The Board approved refund of \$1.10 to Federal Housing Administration, covering recordation tax stamps paid in error by the corporation on an instrument recorded in the office of the Clerk of the Superior Court, Baltimore City, whereas the instrument was not subject to the tax.

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The Board approved claim of the County Commissioners of Anne Arundel County to reimburse them for taxes of \$37.31 paid by the County thru L. H. Arnold, who made duplicate payment of the 1940 taxes on his property.

#### DEPARTMENT OF CORRECTION:

The Secretary brought to the attention of the Board a communication from Willis R. Jones, Chairman of the Department of Correction, requesting authority to reimburse William M. Berrick in the sum of \$100.00 to cover services rendered by him after the time for which employment by him with the Department of Correction was approved by the State Employment Commissioner, payment to be made from the Revolving Fund of the Penitentiary.

The Board approved the request of the Department of Correction.

#### COURT COSTS:

The Board approved payment of bill submitted by the Clerk of the Circuit Court of Baltimore in the amount of \$30.60, covering costs in the case of The Baltimore & Ohio Railroad Company vs. Harry O. Levin, et al, constituting the State Tax Commission of the State of Maryland, payable out of the Contingent Fund of the Board of Public Works.

#### EASTERN SHORE STATE HOSPITAL:

The Secretary brought to the attention of the Board a file of correspondence relative to the Physician's Cottage to be erected at the Eastern Shore State Hospital. It was requested that approval be given to the institution to enter into a contract with Talbot Engineering Company for the erection of the cottage, the bid being \$4,414.53, which was the low bid of the several received for the work. Mr. Kirkman recommended that such a contract be made.

Accordingly, the Board approved the request of the hospital to award a contract to Talbot Engineering Company for the work.

#### EMERGENCY BOND ISSUE OF 1935:

The Board adopted the following resolution declaring it not necessary, that the 1941 levy for the Emergency Bond Issue of 1935, as provided by Chapter 91 of the Acts of 1935, be made.

#### RESOLUTION

WHEREAS, under Section 9 of Chapter 91 of the Acts of the General Assembly of Maryland of 1935, provision is made for the levy of State Taxes for the year 1941, at four and one-quarter cents ( $4\frac{1}{4}$ ) on each one hundred dollars (\$100) of assessable property, to meet the interest on the outstanding certificates of the Emergency Bond Issue of 1935, and also to meet and redeem so much of the principal as may be redeemable in said year, unless, before January 1st, 1941, the Board of Public Works shall ascertain as a fact that all payments of principal and interest have been met during the current year, and that the reserve fund provided for

in Section 8 of said Act is unimpaired: and

WHEREAS, the Comptroller has presented to the Board a statement showing that there was on hand in the State Treasury, September 30th, 1940, the Reserve Fund of \$500,000 required by Chapter 91 of the Acts of the General Assembly of Maryland of 1935 after making provision for payment of all interest due on the Emergency Bond Issue of 1935 in the calendar year 1940, and the Comptroller further estimates that the receipts in the State's fiscal year beginning October 1st, 1940 from Collateral Inheritance Tax and Direct Inheritance Tax will be \$1,446,868.53 and further advises the Board that the requirements for interest in the calendar year 1941 on the Emergency Bond Issue of 1935 will be \$217,635.00 with maturities of \$358,000.00, April 15th, 1941 and \$192,000.00, October 15th, 1941, indicating a total service requirement of \$767,635.00; and

THEREFORE, BE IT RESOLVED: That the Board of Public Works does hereby find as a fact that all payments of principal and interest upon said certificates have been provided during the current year, and that the Reserve Fund provided for in Section 8 of said Act is unimpaired; and

BE IT FURTHER RESOLVED: That the Governor of Maryland be, and he is hereby authorized and directed to publicly declare by proclamation that the State Taxes provided for in Section 9 of said Act shall not be collected or levied for the year 1941.

GREENBELT SUBURBAN HOMESTEADS: (Town of Greenbelt)

The Board approved agreement between the Farm Security Administration of the United States Department of Agriculture and the State of Maryland for settlement in the amount of \$7,605.11 in lieu of taxes to the State of Maryland for 1940 on property in Greenbelt, Maryland. The agreement was executed by the members of the Board on behalf of the State.

MARYLAND HISTORICAL SOCIETY:

The Board considered a letter submitted by Mr. Laurence H. Fowler, Chairman of the Maryland Historical Society, relative to additional money needed in connection with the work of restoration of the Old Senate Chamber. Mr. Fowler stated that he thought it would take \$2,000.00 to complete the work.

After considering the various needs of the State for repairs to the State buildings in Annapolis, it was felt that not more than \$1,500.00 could be made available from the fund of \$15,000 appropriated in the General Construction Loan of 1939, to supplement the appropriation heretofore made for the restoration of the Old Senate Chamber.

The sum of \$1,500. was approved for this work.

MARYLAND PUBLICITY COMMISSION:

The Secretary brought to the attention of the Board a communication from the Maryland Publicity Commission, inquiring as to whether it would be agreeable to the Board for the departments of the State to purchase the Maryland Poster Stamps from the Maryland Publicity Commission, to be affixed to the mail of the departments going to points outside the State.

The Board was not agreeable to the suggestion for the reason that it would take money from some of the departments which was necessary for other purposes and it was felt that an expenditure of this nature was not contemplated at the time the budgets under which the departments are now operating, was passed.

MARYLAND STATE GAME & INLAND FISH COMMISSION:

The Secretary brought to the attention of the Board a request from Mr. E. Lee LeCompte, State Game Warden, that approval be given to the purchase, by the Maryland State Game & Inland Fish Commission, of 38.95 acres of land in Washington County, known as the Indian Spring Wildlife Restoration Project Area, the property being purchased in conformance with the Pittman-Robertson Act, at a cost of \$5.00 per acre.

The request was approved by the Board.

MARYLAND STATE POLICE:

The Secretary brought to the attention of the Board communication from Col. Beverly Ober, Superintendent of the Maryland State Police, relative to having the State Roads Commission fix up the roads at the various Barracks of the State Police, at an estimated cost of \$5,661.43, with the cost of the work to be borne by the State Roads Commission out of the funds available to it for road work.

After full consideration of the matter, it was agreed that the roads to the Barracks should be put in good shape and that it would be in order for the State Roads Commission to do the work and assume the cost of it out of funds at its disposal.

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The Secretary brought to the attention of the Board communication from Col. Ober, relative to arrangements between the Susquehanna Electric Company and the Maryland State Police for the use of land owned by the power company adjacent to the Barracks at Conowingo, to be used as a pistol range by the members of that Department.

The Board approved the execution by Col. Ober of the agreement submitted by the power company.

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The Secretary brought to the attention of the Board a communication from Col. Ober, requesting authority from the Board of Public Works to carry over the unexpended balance in Item #47 for construction in connection with W.P.A. projects in the several Barracks of the State Police.

The Board approved this request.

MARYLAND TRAINING SCHOOL FOR BOYS:

Mr. Kirkman brought to the attention of the Board bids received for the installation of stokers in the boilers of the institution (Maryland Training School for Boys) and recommended acceptance of the bid of Lloyd E. Mitchell, \$8,208.00, payment to be made from the funds available to the institution for the work in the General Bond Issue of 1939.

The Board approved this request and recommendation.

MARYLAND TUBERCULOSIS SANATORIUM:

The Board confirmed the approval previously given, individually, by the members of the Board to a request from the Maryland Tuberculosis Sanatorium that it be authorized to enter into a contract with Morrow Bros., contractors, for the new West Wing and alterations to Assembly Hall at the Henryton Branch, in accordance with plans and specifications prepared by Buckler & Fenhagen, architects, at a cost of \$52,900.00.

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The Board approved a request from the Maryland Tuberculosis Sanatorium that it be authorized to enter into a contract with Feezer & Wantz, of Taneytown, Maryland, for the erection of two cottages at Henryton, at their bid of \$49,438.00 submitted, which was the low bid of nine bids received for the work.

MILITARY DEPARTMENT:

The subject of the location of the offices of the Adjutant General was discussed. It was felt that the space used by that Department in the State House would be needed for other purposes. It was suggested that the Adjutant General's office be located in either the new Armory, being erected in Annapolis, or in the Court of Appeals Building, Annapolis.

The Secretary was requested to discuss this matter with General Reckord and with Judge Bond, so that if it was not possible to have the office in the new Armory, arrangements could be made for use of space in the Court of Appeals Building, heretofore used by the State Treasurer.

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The Secretary brought to the attention of the Board an agreement between the owners of irredeemable ground rent of \$600.00 issuing out of the property on the north side of Great Hughes Street east of Covington Street, Baltimore, which is a part of the land the Mayor and City Council of Baltimore have agreed to convey to the State of Maryland for a naval armory.

The Board authorized approval of the agreement and the Governor noted the approval on the agreement by signing it as Chairman of the Board of Public Works.

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The Secretary brought to the attention of the Board a communication from Adjutant General Milton A. Reckord requesting that, in accordance with an understanding heretofore agreed upon, the Board approve the transfer of \$16,500. from the appropriation to the Military Department in the General Bond Issue of 1939 to the operating budget of the Military Department for the fiscal year 1940, as follow:

\$3,500.00 to Budget Item #20 (Light, Heat, Water & Tele-  
phones, Armories)  
9,000.00 to Budget Item #21 (Camps of Field Instruction)  
4,000.00 to Budget Item #22 (Operating Expenses).

These transfers, as outlined above, were approved.

MORGAN STATE COLLEGE:

The Board confirmed the approval previously given by the members individually, to the Board of Trustees of Morgan State College to enter into a contract with the W. E. Bickerton Constructions Company for the erection of a new dormitory building for the institution, in accordance with the plans and specifications prepared by Albert I. Cassell, at a cost of \$115,072.00.

ROSEWOOD STATE TRAINING SCHOOL:

The Board approved a request from Rosewood State Training School, recommended by Mr. Kirkman, that for authorization for additional work in connection with the construction of the dormitory building at the institution in the amount of \$1,070.81, covering waterproofing work which was found to be necessary because of seepage of water into the ground floor of the new building.

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The Secretary brought to the attention of the Board copy of letter addressed to Mr. Hugh Allen Meade, Assistant Attorney General, by Charles C. G. Evans, Solicitor of Baltimore City, relative to the indebtedness of the City to the State of Maryland for maintenance of persons at Rosewood State Training School. The State's claim against the City for the maintenance of these persons for the period of June 1, 1937 to June 30, 1940 is in the amount of \$249,693.41.

After several conferences between Mr. Meade and Mr. Evans, the City offered to pay the State the sum of \$197,576.45, the amount the City claimed was due the State instead of the amount of \$249,683.41, plus one-half of the difference between the two figures, or a total of \$223,634.93.

Mr. Meade, in view of the questions raised by the City as to the right of the State to insist upon payment of the claim in full, recommended that the State accept the sum of \$223,634.93, in settlement.

The Board approved the recommendation of Mr. Meade.

SPRINGFIELD STATE HOSPITAL:

The Board approved a request of Springfield State Hospital to give an order to Thomas Hicks & Sons, Inc. contractors, for work of moving and repairing the meat weighing scales in the amount of \$50.00, in connection with the improvements to buildings at the institution.

STATE DEPARTMENT OF FORESTRY:

The Secretary brought to the attention of the Board a request from the State Department of Forestry that it be authorized to purchase materials and equipment in the amount of \$9,600.00, as listed in a statement submitted with their request dated September 28, 1940, payment to be made out of the appropriation available for this purpose in the General Bond Issue of 1939.

Mr. Kirkman recommended that the request be approved, with the understanding that the materials and equipment would be purchased through the Department of Budget and Procurement.

The Board approved the request, with this understanding.

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The Secretary brought to the attention of the Board a request from the State Department of Forestry that it be authorized to purchase two tracts of land:

Allegany County - 230 acres at \$3.50 per acre  
Garrett County - 424 acres at \$2.25 per acre,

payment to be made from the appropriation for this purpose in the General Bond Issue of 1939.

The Board approved the request to make these purchases.

STATE DEPARTMENT OF PUBLIC WELFARE:

The Secretary brought to the attention of the Board a communication from the State Department of Public Welfare relative to the amount of State funds received by Baltimore City during 1940 for General Public Assistance, together with copy of a letter to the State Department of Public Welfare from Mr. Herbert Fallin, Budget Director of Baltimore City. In his letter, Mr. Fallin stated that the amount received from the State in the first quarter of 1940 was less than one-half of the amount expended by the City in that quarter and that in the remaining nine months of the fiscal year, the City had not availed itself of the entire amount it could have received from the State because of the expenditures for General Public Assistance in the last nine months of the year being less than was estimated for that period.

The Board felt that since the allotments were made by the State Department of Public Welfare for the various quarters of the fiscal year, it was known by the City, and the counties, the amounts which would be available during those periods and that it was up to the counties and the City to arrange their programs accordingly. Under the circumstances there could be no consideration given by the State Department of Public Welfare to any claims, at this time, for any adjustments on actual expenditures for the fiscal year which would not be in conformity with the programs adopted during the year.

SUPERINTENDENT OF PUBLIC BUILDINGS & GROUNDS:State House

The Board took up for consideration bids which were received for painting and repair work on the exterior of the State House, old and new parts, in accordance with specifications prepared by the Superintendent of Public Buildings & Grounds, and the Chief Engineer. After reviewing the several bids received, the Board accepted the bid of Thomas E. Hill, of Crisfield, Maryland, in the amount of \$2,400.00 for the doing of this work.

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The Board took up for consideration, bids which were received for painting the walls and ceilings and woodwork, and making necessary repairs to the plaster of the Old House Chamber in the State House. After reviewing the several bids submitted, the Board accepted the bid of Brashears Bros., of Mayo, Maryland, in the amount of \$376.00 for the doing of this work, in accordance with the plans and specifications which had been prepared by the Superintendent of Public Buildings & Grounds and the Chief Engineer.

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The Board approved the covering of the floor of the old House Chamber in the State House with linoleum, and authorized the acceptance of bid of McDowell & Company in the amount of \$506.15, based on 265 square yards at \$1.91 per square yard, the work to include the furnishing and cementing of felt over the wood flooring before cementing the linoleum, as well as any necessary repairs to the floor before laying the linoleum.

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The Board also authorized the expenditure of \$150.00 for cleaning the portraits in the Senate and House Chambers of the State House.

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The Secretary brought to the attention of the Board an estimate which had been obtained for installing a new gutter around the roof of the State House. It was represented that it would be unwise to attempt to repair the present gutter because repairs had been made a number of times and that the original construction was faulty and the trouble which has been causing the leaks from time to time is due to the failure to provide for the proper contraction and expansion in the metal work. Mr. Kirkman was requested to obtain other bids for the work and to report back to the Board when the information had been obtained by him.

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The Board took up for consideration the suggestion made by some members of the General Assembly that there is inadequate office space for the use of the members. It was felt that it would be impossible to divide any of the present committee rooms into smaller spaces, and some consideration was given to using space in the old House Chamber. It was suggested that some partitioning with fabricated metal partitions could be done in a way which would leave Dr. Flack with about one-third of the space in the Chamber and provide about eight medium-sized rooms which would be semi-private, at least, and give some of the members the additional space for private conferences, or where they could work with a great deal more facility than is the case at the present time.

Mr. Kirkman was requested to obtain prices for the furnishing and installation of the necessary metal partitions to carry out this thought.

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The Secretary advised that the Superintendent of Public Buildings & Grounds had obtained approximate price of \$1,200.00 for painting the inside and outside of the old Treasury Building. It was felt by the Board that this price was high and the Secretary was instructed to have the Superintendent obtain other bids for the work.

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Boiler House, Etc.

The Secretary brought to the attention of the Board prices which had been obtained for replacing the roofing on the Boiler House, Coal Storage Building, and the Pump House, as the present roof is leaking right badly and needs replacing. The Board accepted the bid of John O. White Company, of Baltimore, Maryland, in the amount of \$571.00, as set forth in letter of that company dated September 17, 1940.

UNIVERSITY OF MARYLAND:

The Secretary brought to the attention of the Board a letter from the University of Maryland, submitting a claim from Mrs. Lilian Heath Hillegeist in the amount of \$336.00, covering secretarial services rendered by her to her husband during the summers of 1936, 1937, 1938 and 1939. Mr. Hillegeist died June 2, 1940. The letter of the University of Maryland stated that the Board of Regents, at a meeting held September 20, 1940, approved this claim, subject to the approval of the Board of Public Works.

The Board felt there was no reason for the submission of the claim to it and, therefore, took no action upon the matter.

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The Secretary brought to the attention of the Board a communication received from Dr. H. C. Byrd, President of the University of Maryland, asking for formal approval to three W.P.A. Projects which had been discussed with the members of the Board about a year ago, which were contingent upon receipt of funds from the W.P.A., and which projects have been gone ahead with and completed, or are in course of construction.

The Board confirmed the approval previously given to Dr. Byrd on these projects, which cover:

- 1- Extension of two wings of the new Service Building;
- 2- Building of new barns, machinery sheds, storage buildings, two cottages, and other farm structures, on farm land;
- 3- Landscape work including grading, new walks, new gateway, relocation of telephone and electric lines, new sewer lines, drainage, landscaping generally, on the campus.

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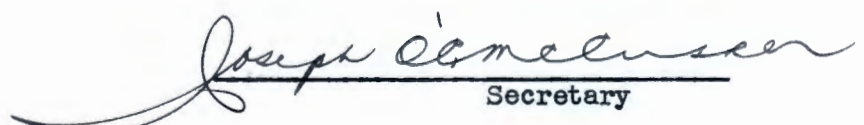
The Secretary brought to the attention of the Board the fact that the investment account of the University of Maryland for the Land Grant Fund contains the sum of \$500.00 which was received sometime ago from the redemption of certain securities, and that it is desired that this money be invested so that any return, <sup>which</sup> might be received from the investment would be available to the Land Grant Fund.

The Board authorized the State Treasurer to make the investment.

COMMISSIONER OF THE LAND OFFICE:

The Board authorized the transfer of \$1,000.00 from the Contingent Fund of the budget of the Board to the account of the Commissioner of the Land Office for special indexing work.

The Board was unable to give consideration to several matters which Mr. Kirkman wanted to bring to the attention of the Board, because of the lack of time, and it was agreed to meet again in the office of the Governor, State House, Annapolis, Maryland, on Tuesday, October 8, 1940, at 2:00 p.m.

  
Secretary